

AUG. 24. 2005 2:47PM

LJUNGMAN LAW OFFC 1 724 523 5230

NO. 375

P. 1

Attn: Shelby Vigil

Fax: 703-746-6710

PTO/SB/64 (07-05)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT  
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

NHL-NP-49-NP

First named inventor: CLAAS JUNGHANS

Application No.: 10/528,748

Art Unit:

Filed: MARCH 22, 2005

Examiner:

Title: VACCINE AGAINST ONCOVIRUS INFECTIONS, SUCH AS INFECTIONS BY FELINE LEUKOSIS VIRUS OF THE CAT

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

**1. Petition fee**

☒ Small entity-fee \$ 750.00 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☐ Other than small entity - fee \$ \_\_\_\_\_ (37 CFR 1.17(m))

**2. Reply and/or fee**

A. The reply and/or fee to the above-noted Office action in the form of NATIONAL STAGE FEES AND LATE DECLARATION FEE (identify type of reply):

☐ has been filed previously on \_\_\_\_\_  
☒ is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ \_\_\_\_\_

☐ has been paid previously on \_\_\_\_\_  
☐ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**BEST AVAILABLE COPY**

PTO/SB/64 (07-05)

Approved for use through 07/31/2008. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## 3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

Nils H. Ljungman  
Signature

AUGUST 24, 2005

Date

NILS H. LJUNGMAN

Typed or printed name

25,997

Registration Number, if applicable

P.O. BOX 130

Address

724-836-2305

Telephone Number

GREENSBURG, PA 15601-0130

Address

Enclosures: ☒ Fee Payment☐ Reply☐ Terminal Disclaimer Form☐ Additional sheets containing statements establishing unintentional delay☒ Other: AUTHORIZATION TO WITHDRAW FROM DEPOSIT ACCOUNT AND DUPLICATE COPY (4 PGS.)

## CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

☒ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office as (571) 273-8300.

AUGUST 24, 2005

Date

Stephen L. Meyer  
Signature

STEPHEN L. MEYER

Typed or printed name of person signing certificate

[Page 2 of 2]

BEST AVAILABLE COPY

AUG. 24. 2005 2:48PM

LJUNGMAN LAW OFFC 1 724 523 5230

NO. 375 P. 5

**Rec'd PCT/PTO 24 AUG 2005**

Docket No.: NHL-NP-49-NP

Serial No.: 10/528,748

Customer No.: 00432

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

EXAMINER: (NOT YET RECEIVED)  
ART UNIT: (NOT YET RECEIVED)  
SERIAL NO.: 10/528,748  
FILING DATE: March 22, 2005  
INVENTORS: Claas JUNGHANS, Matthias SCHROFF, Christiane  
JUHL, and Detlef OSWALD  
TITLE: VACCINE AGAINST ONCOVIRUS INFECTIONS, SUCH  
AS INFECTIONS BY FELINE LEUKOSIS  
VIRUS OF THE CAT

**COPY**

Greensburg, Pennsylvania 15601

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

August 24, 2005

**AUTHORIZATION TO WITHDRAW FROM DEPOSIT ACCOUNT -  
SMALL ENTITY**

Sir:

The Commissioner is hereby authorized to withdraw the amount of \$1,265.00, representing the following:

1. Basic National fee	\$150.00
2. Examination fee	\$100.00
3. Search fee (International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB)	\$200.00
4. Late Declaration fee	\$65.00
5. Petition to Revive fee	\$750.00
<b>TOTAL</b>	<b>\$1,265.00</b>

as well as any fee required to avoid abandonment of this application, from Deposit Account No. 12-1758.

NHL:slm/vwt

NP-49-NP 11/NP044

**BEST AVAILABLE COPY**

Docket No.: NHL-NP-49-NP  
Serial No.: 10/528,748  
Customer No.: 00432

All of the above fees are for a small entity. A duplicate copy of this authorization is enclosed.

Respectfully submitted,

*Nils H. Ljungman*  
**COPY**

Nils H. Ljungman, Esq.  
Attorney for the Applicant  
Reg. No. 25,997  
Nils H. Ljungman & Associates  
P.O. Box 130  
Greensburg, PA 15601-0130  
Telephone:(724) 836-2305  
Facsimile:(724) 836-2313

NHL:slm/vwt

NP-49-NP 11/NP044

**BEST AVAILABLE COPY**